IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 10913 of 2007(Y)

CRIME 49/07 OF VANDANMEDU POLICE STATION

PETITIONER:

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1. KURIAN VARGHESE, S/O.VARGHESE,
ATHIMOOTTIL HOUSE, ANAKKARA P.O., IDUKKI DIST.

2. V.C.ABRAHAM, S/O.CHACKO,
VEMBINCHIRA HOUSE, PAPUMPARA P.O., IDUKKI DIST.

3. M.V.JACOB, MOOLASSERI HOUSE,
ANAKKARA P.O., IDUKKI.

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS SECRETARY,
HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

3. SUPERINTENDENT OF POLICE,
IDUKKI DISTRICT.

4. C.I. OF POLICE,
KATTAPANNA.

5. S.I. OF POLICE,
VADANMEDDU POLICE STATION.

6. THOMAS JOSEPH, PARTNER,
CHIRAPPURATH FINANCIERS,
CHIRAPPURATH HOUSE, MATTAKARA P.O.,
AYYARKUNNAM.

7. SABU JOSEPH, PARTNER,
CHIRAPPURATH FINANCIERS,
CHIRAPPURATH HOUSE, LAKKATTOOR P.O.,AYYARKUNNAM.

8. JAMES STIPHEN, THEKKUMKATTIL HOUSE,
KATTACHIRA P.O., ETTUMANOOR.

R1 TO 5 BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 10913 of 2007 Y

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Dated this the 9th day of April, 2007

JUDGMENT

The short grievance of the petitioner is that no proper action has been taken on Ext.P8 complaint filed by the petitioner before the learned Magistrate, which has been forwarded to the police under Section 156(3) Cr.P.C.

2. The learned Prosecutor was requested to take instructions. The learned Prosecutor submits that on the basis of Ext.P8 dt.14.2.07 Crime No. 49 of 2007 of Vandanmedu police station was registered and the needful is being done for the investigation of the said crime. It is not necessary at this stage to issue any further direction, submits the Prosecutor.

3. In the light of the submissions of the learned Prosecutor I find that there is no merit in the grievance that no proper action has been taken on the complaint. At this early stage of investigation it is not necessary to issue any direction in the matter.

4. This writ petition is dismissed. But I may hasten to observe that the dismissal of this writ petition will not in any way fetter the

rights of the petitioner to approach this court later, if a proper investigation is not conducted in the matter. I need only mention that I expect the Investigating Officer to do the needful in accordance with law and expeditiously. The petitioner shall be at liberty to approach this Court again, not at any rate prior to 1.6.2007.

(R. BASANT)
Judge

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